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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/618,093	07/11/2003	John Boyle	WEAT/0403	3821

7590 11/27/2007
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EXAMINER

BEACH, THOMAS A

ART UNIT	PAPER NUMBER
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3671

MAIL DATE	DELIVERY MODE
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11/27/2007

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/618,093

Applicant(s)

BOYLE, JOHN

Examiner

Thomas A. Beach

Art Unit

3671

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 16 August 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,2,4,5,10,11,13-17,51-54 and 56-79 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,2,4,5,10,11,13-17,51-54 and 56-79 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1, 2, 4, 5, 10, 11, 13, 51-53, 55 and 57-61 are rejected under 35 U.S.C. 102(b) as being anticipated by Lima 6,079,498. Lima shows method of intervening in a pipeline, having providing a pipeline 14/15/16 for transporting fluid flow from an offshore well to a location; diverting the fluid flow to a storage site 34; and intervening in the pipeline 28/40/45 (fig 2-3) with interfaces 12/29 (col. 6, lines 26+) where the diverting and the intervening are accomplishes from the same location of an offshore tanker/vessel (col. 5, lines 60-65).

As concern claim 2, Lima shows the well is underbalanced.

As concern claims 4 and 52-53, Lima shows diverting the fluid flow to the storage site 34 comprises inserting a tap 12/29 into the pipeline and flowing the fluid flow through the tap to the storage site (fig 2-3) between the well and storage site via a tap in the pipeline.

As concern claim 5, Lima shows the tap is inserted into the pipeline between the well and the storage site (fig 7).

As concern claim 10, Lima shows intervening in the pipeline occurs downstream with respect to initial fluid flow through the pipeline to the location from the diverting of the fluid flow to the storage site (fig 2-3).

As concern claims 11 and 55, Lima shows intervening in the pipeline comprises removing blockage of the fluid flow within the pipeline (col. 5 lines 60-65) with interfaces 12/29.

As concern claims 13 and 57, Lima shows removing blockage comprises drilling into the pipeline and physically removing the blockage (fig 1).

3. Claims 1, 2, 4, 5, 10, 11, 13, 51-53, 57-61, and 66-78 are rejected under 35 U.S.C. 102(b) as being anticipated by Kluth 3,602,302. Kluth shows method of intervening in a pipeline, having providing a pipeline for transporting fluid flow from an offshore well to a location; diverting the fluid flow to a storage site; and intervening in the pipeline where the diverting and the intervening are accomplishes from the same location of an offshore tanker/vessel 10 with a moon pool and skid deck capable of lowering coiled tubing (fig 3; claims 66-70 & 74-78).

As concern claim 2, Kluth shows the well is underbalanced.

As concern claim 4, Kluth shows diverting the fluid flow to the storage site 34 comprises inserting a tap into the pipeline and flowing the fluid flow through the tap to the storage site (fig 6) between the well and storage site via a tap in the pipeline.

As concern claim 5, Kluth shows the tap is inserted into the pipeline between the well and the storage site.

As concern claim 10, Kluth shows intervening in the pipeline occurs downstream with respect to initial fluid flow through the pipeline to the location from the diverting of the fluid flow to the storage site (fig 6).

As concern claims 11 and 55, Kluth shows intervening in the pipeline comprises removing blockage of the fluid flow within the pipeline.

As concern claims 13 and 57, Kluth shows removing blockage comprises drilling into the pipeline and physically removing the blockage.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 14-17, 54, and 62-65 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lima 6,079,498 alone or Kluth 3,602,302 alone.

As concern claims 14-17, Lima and Kluth shows a process capable of intervening for removing a pig stuck in the pipeline or descaling or removing paraffin from within the pipeline (obvious known equivalents) or damage to the pipeline (since repairs would be an obvious method of continuing production and furthermore this claim does not specify how) where analysis of buildup is needed to maintain production (claim 54).

6. Claim 56 and 79 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lima 6,079,498 alone or Kluth 3,602,302 in view of Hansen EP 1184537. Lima and Kluth do not show injecting acid via coiled tubing; however, Hansen shows a similar passage clearing device similar to Lima/Kluth having the feature of injecting an acid to remove blockages (scaling) and stimulating the well, thus rendering this method as well known in the petroleum art in which risers and coiled tubing are functional equivalents. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Lima or Kluth, as taught by Hansen, to include coiled tubing injection to improve the versatility of the apparatus of removing blockages by having alternate means to perform this operation at remote locations.

Response to Arguments

7. Applicant's arguments with respect to claims have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thomas A. Beach whose telephone number is 571.272.6988. The examiner can normally be reached on Monday-Friday, 8:00am-5:00pm.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Thomas Will can be reached on 571.272.6998. The fax phone number for the organization where this application or proceeding is assigned is 571.273.8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Thomas A. Beach

November 24, 2007

THOMAS A. BEACH
Primary Examiner
Group 3600